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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/353,938	07/15/1999	CHRISTOPHER M. JAGGERS	M-7682-US	4344

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EXAMINER

THAI, XUAN MARIAN

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/353,938

Applicant(s)

JAGGERS ET AL.

Examiner

XUAN M. THAI

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to communication filed on July 15, 1999. Claims 1-53 are presented for examination in the instant application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4, 6-18, 20-30 and 32-53 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Neal et al. (USPN 6,215,656; hereinafter O'Neal).

As per claim 1, O'Neal discloses a system comprising: a mini-PCI connector (e.g. pins 414); and a modular bay enclosure (connector module 412) containing said mini-PCI connector (e.g. pins 414). See particularly figures 4B or 4C.

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As per claim 2, a module connector operably connected with said mini PCI connector is taught by O'Neal see figures 2-4A-C.

As per claim 3, further comprises pin-type connector is taught by O'Neal see figure 4.

As per claim 4, further comprises board-edge connector (e.g. single edge contacts; see col. 5, lines 49-50).

As per claim 6, a modular bay enclosure containing the module connector operably connected with said mini PCI connector is taught by O'Neal see figures 2-4A-C.

As per claims 7 and 8, the mini-PCI connector is at least one of the connectors defined by a mini-PCI specification is within the disclosure of O'Neal see col. 1, lines 30-45.

As per claim 9, the connectors are selected from a group comprising of video connector, audio connector, Ethernet connector and modem connector is disclosed by O'Neal see Figures 2 and 3.

As per claim 10, further comprising at least one mini-PCI card is disclosed by O'Neal see Figure 2, elements 204 and 202.

As per claims 11-12, the mini-PCI card is to the mini-PCI specification would be within the teachings of O'Neal see col. 1, lines 30-45.

As per claim 13, O'Neal discloses a system comprising: a mini-PCI connector (e.g. pins 414); and a modular bay enclosure (connector module 412) containing said mini-PCI connector (e.g. pins 414). See particularly figures 4B or 4C. O'Neal further discloses an operating system, a CPU, system memory and I/O bus see figure 1 and cols. 3-4.

As per claims 14 and 15, O'Neal further discloses various graphics capabilities and hardware for displaying graphics and network interface and card (see Fig. 1 and cols. 3-4).

As per claim 16, a module connector operably connected with said mini PCI connector is taught by O'Neal see figures 2-4A-C.

As per claim 17, further comprises pin-type connector is taught by O'Neal see figure 4.

As per claim 18, further comprises board-edge connector (e.g. single edge contacts; see col. 5, lines 49-50).

As per claim 20, a modular bay enclosure containing the module connector operably connected with said mini PCI connector is taught by O'Neal see figures 2-4A-C.

As per claims 21 and 22, the mini-PCI connector is at least one of the connectors defined by a mini-PCI specification is within the disclosure of O'Neal see col. 1, lines 30-45.

As per claim 23, the connectors are selected from a group comprising of video connector, audio connector, Ethernet connector and modem connector is disclosed by O'Neal see Figures 2 and 3.

As per claim 24, further comprising at least one mini-PCI card is disclosed by O'Neal see Figure 2, elements 204 and 202.

As per claims 25 and 26, the mini-PCI card is to the mini-PCI specification would be within the teachings of O'Neal see col. 1, lines 30-45.

As per claims 27-30 and 32-38, they encompass the same scope of invention as to that of claims 1-4 and 6-12, except that they are drafted as method format rather than apparatus format, the claims 27-30 and 32-38 are therefore rejected for the same rationale as being set forth with respect to claims 1-4 and 6-12 supra.

As per claims 39-53, they encompass the same scope of invention as to that of claims 1-4 and 6-26, except that they are drafted as method and system format rather than apparatus format, the claims 39-53 are therefore rejected for the same rationale as being set forth with respect to claims 1-4 and 6-26 supra.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5, 19 and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal in view of Gilbert (USPN 6,067,583).

O'Neal discloses the claimed invention except for the use of a wireless connection medium.

Gilbert in his teachings of wireless adapter for a data-processing system having a computer including a computer interface connector for accepting a modem interface connector of a wired modem uses an adapter card to allow wireless communication. It would have been obvious to one of ordinary skill in the art to modify the system of O'Neal to allow for wireless option as taught by Gilbert. Such modification would provide alternative connector styles for

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interfacing to the different computers, modems, and systems; and other alternatives. This configuration would thus allow the same for example LAN adapter card to function in either a wired or a wireless configuration, and would allow upgrading the LAN card without replacing an entire wireless system. Thus being advantageous.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Form PTO-892.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuan M. Thai whose telephone number is (703) 308-2064. The examiner can normally be reached on alternate Monday and Tuesday-Friday from 8:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Peter Wong, can be reached on (703) 305-3477.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	[After Final Communication]
(703) 746-7239	[Official Communication]
(703) 746-7240	[For Status inquiries and draft communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



XUAN M. THAI
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

XMT
March 10, 2002